

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Delaware

SAREPTA THERAPEUTICS, INC.

Defendant and Counter-Plaintiff

v.

NIPPON SHINYAKU CO., LTD.
and NS PHARMA, INC.

Plaintiff and Counter-Defendants

Civil Action No. 21-1015 (LPS)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

NS Pharma, Inc.
c/o Corporation Service Company
251 Little Falls Drive
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Megan E. Dellinger
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



CLERK OF COURT

/s/ John A. Cerino

Signature of Clerk or Deputy Clerk

Date: _____

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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This summons for *(name of individual and title, if any)* NS PHARMA, INC.
 was received by me on *(date)* 01/31/2022

☐ I personally served the summons on the individual at *(place)* _____
 on *(date)* _____, or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* LYNANNE GARES (AUTHORIZED AGENT), who is
 designated by law to accept service of process on behalf of *(name of organization)* NS PHARMA, INC.

C/O CORPORATION SERVICE COMPANY, 251 LITTLE FALLS DRIVE, WILMINGTON, DE 19808 on *(date)* 01/31/2022

☐ I returned the summons unexecuted because _____, or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: 01/31/2022



Server's signature

KEVIN S. DUNN PROCESS SERVER
Printed name and title

BRANDYWINE PROCESS SERVERS, LTD., PO BOX 1360,
WILMINGTON, DE 19899
Server's address

Additional information regarding attempted service, etc:

SERVED SUMMONS IN A CIVIL ACTION; ANSWER AND
 COUNTERCLAIMS; EXHIBITS A-C; DISCLOSURE
 STATEMENT